REMARKS

This amendment is responsive to the Office Action dated December 27, 2004. Claims 51-111 are pending and stand rejected. By this amendment, Applicant has amended claims and urges arguments for the Examiner's consideration. Reconsideration of this application based on this amendments and argument presented here is respectfully requested.

In paragraph 2 of the office action, the Examiner rejected claims 108 and 110, first paragraph, as failing to comply with the written description requirement. The Examiner takes the position that the claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention. The Examiner apparently fails to find support for the recitation that the video data is provided from "the select vendor or vendors." Applicant fails to comprehend the Examiner's rejection for the simple fact that for practical reasons alone, clearly all the data on a select vendor or vendors must originate from the vendor or vendors. Even if a third party provided access to data on a particular vendor, presumably the third party would acquire such data from the vendor. For example, note page 43 of the specification where it clearly indicates the following:

"Typically the vendor will have organized the presentation prior to making the telephone call so that the merchandise can be variously demonstrated and various information including pricing etc. expressed in the video presentation."

Undoubtedly the video data would be stored in a video file server. However, the Examiner is taking a rather limited view in assuming that the video file server must be located only at the central location. It would be more accurate to state that the video file in one exemplary embodiment is associated with the central location and is perhaps accessed under control of the central traffic control system. Nevertheless, Claims 108 and 110 have been amended and Applicant hopes that these amendments are acceptable to the Examiner.

In paragraph 4 of the office action, the Examiner has rejected claims 51-79 under 35 U.S.C. Section 103(a) as unpatentable over Shavit in view of Kaye et al., and further in view of Foster et al. In paragraph 5 of the office action, claims 80-106 are rejected under 35 U.S.C. Section 103(a) as unapatentable over Shavit and Kaye, and further in view of Smith. Claim 107 is rejected under 35 U.S.C. Section 103(a) as unapatentable over Shavit in view of Smith. In response to Applicant's prior arguments that Shavit, Kaye, Smith and Foster are nonanalogous art, the Examiner points to case law that holds that a prior art reference must either be in the field of Applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the Applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. Applicant respectfully submits that nonetheless, the references must teach a motivation to combine them. The primary reference Shavit does not recognize or suggest the void that the Examiner seeks to fill with the other three references. In any event, to expedite allowance of the claims here, Applicant has amended each of the independent claims to include a limitation that Applicant hopes will render the claims allowable.

Respectfully, Applicant urges the Examiner to reconsider her rejections in view of the above arguments and amendments. Favorable consideration and allowance of the claims pending here is respectfully requested.

Respectfully submitted,

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